

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DONALD LEE MAINS,

Plaintiff,

v.

OPINION and ORDER

WILLIAM CONLEY, MARTIN D. O'MALLEY,
SOCIAL SECURITY WORKERS, DAVE OBEY,
SEAN DUFFY, TAMMY BALDWIN,
and MIKE HALVIE,

24-cv-324-jdp

Defendants.

This is plaintiff Donald Lee Mains's sixth lawsuit in this court challenging the denial of Social Security benefits. His first case was dismissed for lack of subject matter jurisdiction because he wasn't challenging a final decision of the Social Security Administration. *See Mains v. Saul*, 821 F. App'x 636, 637 (7th Cir. 2020). His subsequent lawsuits were dismissed for lack of jurisdiction and under the doctrines of issue and claim preclusion.

The United States Court Appeals for the Seventh Circuit affirmed the dismissal of his fourth case, warning him that he could be sanctioned for further frivolous litigation. *Mains v. O'Malley*, No. 23-2757, 2024 WL 750582 (7th Cir. Feb. 23, 2024). Mains followed with another similar case that was dismissed by District Judge William M. Conley, who sanctioned Mains by barring him from bringing future lawsuits without prepaying the full filing fee. *Mains v. O'Malley*, No. 24-cv-175-wmc, Dkt. 4. (W.D. Wis. Apr. 1, 2024).

Mains then filed this lawsuit, adding Judge Conley as a defendant along with the usual list of governmental officials he sues, and prepaying the full \$405 filing fee. The clerk of court assigned this case to me because Judge Conley has been named as a defendant. This case is yet another frivolous challenge to the decision of the Social Security Administration. This court

and the court of appeals have warned Mains that he must stop. This one is, if anything, worse than his previous frivolous filings because there is no valid reason to add Judge Conley as a defendant.

I will dismiss this case for the same reasons that his previous cases have been dismissed. I will amend the sanctions against Mains by fully barring him from filing civil lawsuits whether he can prepay the fee or not. Accordingly, the only cases that Mains may file in this court are habeas corpus petitions. Any civil lawsuit that Mains files will be docketed and summarily dismissed. After two years, Mains may file a motion asking me to lift or modify this filing bar.

Also, I will direct the clerk of court to assign any future filing by Mains to me, even if he names me as a defendant. *See In re Specht*, 622 F.3d 697, 700 (7th Cir. 2010) (courts are not forced to succumb to “easy manipulation” of recusal rules by mandating that judge step aside when plaintiff names judge as defendant).

ORDER

IT IS ORDERED that:

1. This case is DISMISSED.
2. The clerk of court is directed to enter judgment and close this case.
3. Plaintiff's remaining motions are DENIED as moot.
4. The court's sanctions against plaintiff Donald Lee Mains are amended as discussed in the opinion above.

Entered June 3, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge